

Caroline E. Oks, Esq.  
**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102-5310  
(973) 596-4500  
[coks@gibbonslaw.com](mailto:coks@gibbonslaw.com)

*Attorneys for Defendant  
Cigna Health and Life Insurance Company*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARCO PALLAZI AND PIERANGELA  
BONELLI,

Plaintiffs,

v.

CIGNA HEALTH AND LIFE INSURANCE  
COMPANY, JOHN OR JANE DOE 1  
THROUGH 100, FICTITIOUS NAMES  
BEING NATURAL PERSONS AT PRESENT  
UNIDENTIFIED, XYZ CORPORATIONS 1  
THROUGH 100, FICTITIOUS NAMES  
BEING CORPORATIONS AT PRESENT  
UNIDENTIFIED, ABC ENTITIES 1  
THROUGH 100, FICTITIOUS NAMES  
BEING COMMERCIAL ENTITIES AT  
PRESENT UNIDENTIFIED,

Defendants.

Civil Action No. 2:22-cv-06278-BRM-AME

**NOTICE OF MOTION TO DISMISS  
PLAINTIFF'S SECOND AMENDED  
COMPLAINT AGAINST DEFENDANT  
CIGNA HEALTH AND LIFE  
INSURANCE COMPANY**

RETURN DATE: NOVEMBER 20, 2023

ORAL ARGUMENT REQUESTED

TO: Richard Malagiere, Esq.  
Leonard E. Seaman, Esq.  
Law Offices of Richard Malagiere, P.C.  
250 Moonachie Road, Suite 300A  
Moonachie, NJ 07074  
*Attorneys for Plaintiffs*

**PLEASE TAKE NOTICE** that on November 20, 2023, at 10:00 a.m., or as soon thereafter as counsel may be heard, Defendant Cigna Health and Life Insurance Company ("Cigna") through

its attorneys, Gibbons P.C., will move before the Honorable Brian R. Martinotti, U.S.D.J., at the Martin Luther King Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, for an Order dismissing Plaintiffs' Second Amended Complaint, pursuant to Federal Rule of Civil Procedure 12(b)(6).

**PLEASE TAKE FURTHER NOTICE** that in support of the within Motion, Cigna shall rely upon the Memorandum of Law submitted herewith and all other pleadings and papers on file in this matter.

**PLEASE TAKE FURTHER NOTICE** that at the time and place aforesaid Cigna will respectfully request that the proposed form of Order submitted herewith be entered by the Court.

**GIBBONS P.C.**  
*Attorneys for Defendant*  
*Cigna Health and Life Insurance Company*

By: s/ Caroline E. Oks  
Caroline E. Oks

DATED: October 19, 2023